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Department of Water Resources

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Attorneys for the State of Idaho

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA)	Subcase No. 91-00005
)	
)	Basin-Wide Issue 5
Case No. 39576)	(Conjunctive Management General Provision)
)	
)	STATE OF IDAHO'S ANSWERS AND RESPONSES
)	TO PIONEER AND SETTLER'S FIRST SET OF
)	INTERROGATORIES, REQUESTS FOR
)	PRODUCTION, AND REQUESTS FOR
)	ADMISSION TO THE STATE OF IDAHO

DEFINITIONS

The following definitions apply to this discovery response:

1. The phrase "IDWR" refers to the Idaho Department of Water Resources, 1301 N. Orchard St., Boise Idaho 83706.

INTERROGATORY NO. 1: Please state the name, address, and telephone number of each and every person known to you who has knowledge of, or who purports to have any knowledge of, any of the facts of this case. By this interrogatory the Districts seek the names, addresses, and telephone numbers of all persons who have any knowledge of any fact pertinent to SRBA Subcase No. 91-00005 and State of Idaho's arguments in support of the necessity of a general provision addressing the conjunctive administration of water rights.

ANSWER TO INTERROGATORY NO. 1: Objection. The State of Idaho objects to this interrogatory on the grounds that it is overly broad, vague and ambiguous and therefore is beyond the scope of permissible discovery. "Each and every person known to have knowledge of..." or, "who has knowledge of any of the facts of this case" could be as broad and wide in scope as to include all claimants, attorneys, and technical consultants involved in the Snake River Basin Adjudication and all present and past employees of the IDWR. The facts of Basin-Wide Issue 5, SRBA Subcase No. 91-00005, are a matter of public record which make it impractical, if not impossible, for the State of Idaho to identify "all persons" knowing pertinent facts to this Subcase. Notwithstanding and without waiving these objections, the State of Idaho provides the names, addresses, and telephone numbers of the following employees, former employees, and consultants who, during the course of their employment for IDWR, may have worked on issues related to conjunctive administration and who may, therefore, know facts

pertinent to this Subcase on behalf of the State of Idaho:

PRESENT EMPLOYEES

1. Karl J. Dreher,
Director,
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

(208) 327-7900
2. Norman C. Young
Administrator, Water Management Division
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

(208) 327-7900
3. David R. Tuthill, Jr.
Chief, Adjudication Bureau
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

(208) 327-7900
4. Robert J. Sutter
Manager, Hydrology Section
Idaho Department of Water Resources
1301 North Orchard St.
Boise, ID 83706

(208) 327-7900
5. John E. Lindgren
Engineer, Technical 2
1301 North Orchard St.
Boise, ID 83706;

(208) 327-7900

6. Lee Sisco
Boise River Watermaster
6616 Overland Road
Boise, ID 83709

(208) 378-0246
7. Ron Carlson
IDWR Eastern Regional Manager &
Upper Snake River Basin Watermaster
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

(208) 525-7177

PAST EMPLOYEES During the periods of their employment the following individuals may have known facts pertinent to this Subcase:

8. David B. Shaw [former Chief of the Adjudication Bureau]
c/o ERO Resources Corporation
1106 N. Cole Road, Suite C
Boise, ID 83704-8661

(208) 373-7983
9. R. Keith Higginson [former Director]
39 North Valley Drive, #57
St. George, UT 84770

(801) 673-5284

CONSULTANTS The following consultants were retained in previous years by IDWR to provide technical information. During the course of their contract, they may have known facts pertinent to this Subcase:

10. Dr. Charles Brockway, Sr.
c/o Brockway Engineering
2016 North Washington St., Suite 4
Twin Falls, ID 83301

(208) 736-8543

11. Dr. Gary Johnson
University of Idaho
1776 Science Center Drive
Idaho Falls, ID 83402

(208) 282-7985

This list is the best list that the State of Idaho could develop in response to this interrogatory. In the event the State of Idaho identifies other employees, past employees, or consultants with pertinent knowledge, the State of Idaho will supplement this list.

INTERROGATORY NO. 2: State the names, addresses, and telephone numbers of all fact witnesses that you may call at the hearing of this cause.

ANSWER TO INTERROGATORY NO. 2: The following persons may be called:

1. Karl J. Dreher, address and telephone previously provided in Answer to Interrogatory No. 1;
2. David R. Tuthill Jr., address and telephone previously provided in Answer to Interrogatory No. 1.

INTERROGATORY NO. 3: With respect to the witnesses you may call at the hearing of this cause, state the subject matter and general nature of the facts to which each witness will testify.

ANSWER TO INTERROGATORY NO. 3: This interrogatory is unduly burdensome when the State of Idaho's witnesses have already provided documents of record in this matter that describe the information requested by this interrogatory. This information was provided in response to SRBA "Amended Order Setting Deadline for IDWR to File Direct Testimony and Setting Initial Hearing on Basin-Wide Issue 5 on Remand – Conjunctive Management Snake River Basin –Wide" issued December 17, 1999, and "Order Setting Trial Date, Final Pre-Trial

Motions and Briefing Schedule for Basin-Wide Issue 5 (Conjunctive Management General Provision) and Order for Alternative Dispute Resolution –I.R.C.P. 16” issued by the SRBA District Court on May 26, 2000, and amended on July 7, 2000. Notwithstanding and without waiving this objection, the State of Idaho provides the following:

Subject Matter of Testimony:

Karl J. Dreher

- i. Provide definitions
- ii. Describe the purpose of the General Provisions.
- iii. Describe legal authorities for the adoption of the General Provisions.
- iv. Identify technical limitations.
- v. Describe a proposed Implementation Plan.

David R. Tuthill, Jr.:

- i. Provide definitions.
- ii. Describe the purpose of the General Provisions.
- iii. Describe legal authorities for the adoption of the General Provisions.
- iv. Identify technical limitations.
- v. Describe a proposed Implementation Plan.

General Nature of Facts:

The general nature of the facts and expert testimony of Karl J. Dreher are described in the following documents:

1999 Supplemental Director’s Report to the SRBA District Court on Conjunctive Management for Basin Wide Issue 5 filed on December 30, 1999.

Director's Response to Opening Briefs dated August 15, 2000.

AFFIDAVIT OF KARL J. DREHER dated January 19, 2001 [Second Affidavit].

THIRD AFFIDAVIT OF KARL J. DREHER dated March 23, 2001.

The general nature of the facts and expert testimony of David R. Tuthill, Jr. are described in the following documents:

1999 Supplemental Director's Report to the SRBA District Court on Conjunctive Management for Basin Wide Issue 5 filed on December 30, 1999.

Transcript of initial evidentiary hearing on BWI 5 - Testimony of David R. Tuthill, Jr. taken on February 24, 2000.

Director's Response to Opening Briefs dated August 15, 2000.

REQUEST FOR PRODUCTION NO. 1: For each fact witness identified in Interrogatory No. 2, please produce all documents which support, tend to support, will support, or will tend to support, the facts described in your response to Interrogatory No. 3.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1: The documents are identified in the reference list, which is attached as Attachment I and incorporated herein by this reference. These documents are available for inspection and copying at IDWR's State Office, Monday through Friday during regular business hours. In addition, twenty-four of the thirty documents are available via the Internet on IDWR's web site at the URLs described in Attachment I.

INTERROGATORY NO. 4: Describe each document, object, or thing, including movie, film, or other evidence gathered by electronic or scientific means, intended to be introduced or utilized as an exhibit at the hearing of this cause.

ANSWER TO INTERROGATORY NO. 4: The primary documents that will be utilized at the trial of this matter are documents already of record. The State of Idaho has not identified at this point in time any additional exhibits. Those existing documents of record are described as follows:

1999 Supplemental Director's Report to the SRBA District Court on Conjunctive Management for Basin Wide Issue 5 filed on December 30, 1999.

Director's Response to Opening Briefs dated August 15, 2000.

Transcript of initial evidentiary hearing on BWI 5 - Testimony of David R. Tuthill, Jr. taken on February 24, 2000.

AFFIDAVIT OF KARL J. DREHER dated January 19, 2001 [Second Affidavit].

THIRD AFFIDAVIT OF KARL J. DREHER dated March 23, 2001.

REQUEST FOR PRODUCTION NO. 2: Please produce the documents, objects, or things described or set forth in your response to Interrogatory No. 4.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2: The documents are identified in the reference list, which is attached as Attachment I and incorporated herein by this reference. These documents are available for inspection and copying at IDWR's State Office, Monday through Friday during regular business hours. In addition, twenty-four of the thirty documents are available via the Internet on IDWR's web site at the URLs described in Attachment I.

INTERROGATORY NO. 5: If you, your attorney, or anyone acting on your behalf has engaged any experts who are expected to testify in connection with this litigation, please state:

- (a) the expert's name and address;

- (b) the subject matter on which the expert is expected to testify;
- (c) the substance of the facts, conclusions, and opinions to which each is expected to testify;
- (d) the facts, data, knowledge, and information underlying the expert(s)' opinions or inferences; and
- (e) a summary of the expert(s)' qualifications, educational background, and training.

ANSWER TO INTERROGATORY NO. 5:

Objection. The State of Idaho's witnesses have already provided reports, affidavits, and testimony of its experts in this matter pursuant to prior court order. See Answer to Interrogatory No. 3. It is unduly burdensome, to restate in the format requested here that information. Notwithstanding and without waiving these objections, the State of Idaho provides the following information:

- (a) The State of Idaho identifies the following persons who may be called as experts:
 - 1. Karl J. Dreher, address and phone previously provided in Answer to Interrogatory No. 2;
 - 2. David R. Tuthill, Jr., address and telephone previously provided in Answer to Interrogatory No. 2.
- (b) The subject matter for each person is identified as follows:
 - 1. Karl J. Dreher:
 - i. Provide definitions.
 - ii. Describe the purpose of the General Provisions.
 - iii. Describe legal authorities for the adoption of the General

Provisions.

- iv. Identify technical limitations.
 - v. Describe a proposed Implementation Plan.
2. David R. Tuthill, Jr.:
- i. Provide definitions.
 - ii. Describe the purpose of the General Provisions.
 - iii. Describe legal authorities for the adoption of the General Provisions.
 - iv. Identify technical limitations.
 - v. Describe a proposed Implementation Plan.

(c) The substance of the facts, conclusions, and opinions to which each is expected to testify are contained in the following documents:

1. Karl J. Dreher:
- 1999 Supplemental Director's Report to the SRBA District Court on
Conjunctive Management for Basin-Wide Issue 5 filed on
December 30, 1999.
- Director's Response to Opening Briefs dated August 15, 2000.
- AFFIDAVIT OF KARL J. DREHER dated January 19, 2001 [Second
Affidavit].
- THIRD AFFIDAVIT OF KARL J. DREHER dated March 23, 2001.
2. David R. Tuthill, Jr.:
- 1999 Supplemental Director's Report to the SRBA District Court on

Conjunctive Management for Basin Wide Issue 5 filed on
December 30, 1999.

Transcript of initial evidentiary hearing on BWI 5 - Testimony of David
R. Tuthill, Jr. taken on February 24, 2000.

Director's Response to Opening Briefs dated August 15, 2000.

(d) The facts, data, knowledge, and information underlying the expert's opinions or inferences is as follows:

1. Karl J. Dreher:

All documents described in Attachment I.

2. David R. Tuthill, Jr.:

All documents described in Attachment I.

(e) A summary of the expert(s) qualifications, educational background, and training is as follows:

1. Karl J. Dreher: A summary is provided in the AFFIDAVIT OF
KARL J. DREHER dated December 30, 1999.

2. David R. Tuthill, Jr.: A summary is provided in the AFFIDAVIT OF
DAVID R. TUTHILL, JR. dated February 22, 2000.

REQUEST FOR PRODUCTION NO. 3: Please produce the *curriculum vitae* of each
and every expert witness you intend to call at the hearing in this matter.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

1. Karl J. Dreher: A summary is provided in the AFFIDAVIT OF
KARL J. DREHER dated December 30, 1999.

2. David R. Tuthill, Jr.: A summary is provided in the AFFIDAVIT OF DAVID R. TUTHILL, JR. dated February 22, 2000.

REQUEST FOR ADMISSION NO. 1: Please admit that the “conjunctive management general provision” proposed by the State of Idaho does not require the administration of water rights in accordance with the tenets of the prior appropriation doctrine.

RESPONSE TO REQUEST FOR ADMISSION NO. 1: Objection. The State of Idaho objects to this request for admission on the grounds that it seeks the State of Idaho's opinion on a matter of law, involving no application of law to fact, and is, therefore, beyond the scope of permissible discovery. Notwithstanding and without waiving this objection, the State of Idaho denies the request for admission. The State of Idaho states that, the “conjunctive management general provisions” proposed by the IDWR do provide for administration of water rights in accordance with the prior appropriation doctrine, as implemented through Idaho law.

INTERROGATORY NO. 6: If your response to Request for Admission No. 1 was anything other than an unqualified admission, please describe all facts which support your Response to Request for Admission No. 1. By this interrogatory, the Districts seek the facts and persons with knowledge which support your response to Request for Admission No. 1.

ANSWER TO INTERROGATORY NO. 6: None. This is a matter of law.

INTERROGATORY NO. 7: Please identify any and all documents which relate in any way to your response to interrogatory No. 6.

ANSWER TO INTERROGATORY NO. 7: None.

REQUEST FOR PRODUCTION NO. 4: Please produce the documents identified in your response to Interrogatory No. 7.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4: Not applicable.

REQUEST FOR ADMISSION NO. 2: Please admit that the Idaho Department of Water Resources can administer all water rights through application of the prior appropriation doctrine.

RESPONSE TO REQUEST FOR ADMISSION NO. 2: The State of Idaho admits in part and denies in part this request for admission as follows: The State of Idaho admits that the prior appropriation doctrine, as implemented through the constitution, statutes, administrative rules and common law of the State of Idaho, is the basis for the administration of water rights by the IDWR. The IDWR can and does administer water rights in accordance with the prior appropriation doctrine to the extent that the legal relationships among the water rights are known and technical information is available for that administration. The SRBA is defining the water rights within the Snake River Basin, and is determining the legal relationship between these water rights. Simultaneously, IDWR is developing technical information and rules for water right administration. In the meantime, IDWR has already adopted rules under which a conjunctive administration delivery call can be made. But, since the SRBA is not complete, the definition of the legal relationship between all water rights has not occurred. Even after the SRBA Court has established the legal relationship among the various water rights, the administration of "all water rights." in accordance with the prior appropriation doctrine, will depend upon whether the technical information exists for that administration. To the extent that the request for admission means that junior priority ground water rights can be curtailed in preference to senior priority surface water rights absent additional facts not yet established and legal relationships not yet determined, then the State of Idaho denies this request for admission.

IDWR will use contested cases created in accordance with the Conjunctive Management Rules, IDAPA 37.03.11, and rules adopted for specific groundwater basins to provide the technical basis for administration under prior appropriation doctrine for rights for which the legal relationship has been determined.

INTERROGATORY NO. 8: If your response to Request for Admission No. 2 was anything other than an unqualified admission, please describe with specificity all facts and the legal basis which form the basis of your response, including, but not limited to, citation to authority which supports your response. By this interrogatory, the Districts seek the facts, persons with knowledge, and legal authority which support your response to Request for Admission No. 2.

ANSWER TO INTERROGATORY NO. 8:

Facts:

1. As of May 3, 2001, a total of 87,169 partial decrees had been issued in the SRBA with several tens of thousands additional partial decrees anticipated in coming years.
2. Since the SRBA is not complete, the legal relationship among water rights has not been fully determined. The SRBA District Court has not determined the extent to which certain water rights are to be administered separately from other water rights.

Persons with knowledge:

Karl J. Dreher

David R. Tuthill, Jr.

Legal authority:

Citations to case law described in Attachment I.

INTERROGATORY NO. 9: Please identify any and all documents which relate in any way to your response to Interrogatory No. 8.

ANSWER TO INTERROGATORY NO. 9: All documents described in Attachment I.

REQUEST FOR PRODUCTION NO. 5: Please produce the documents identified in your response to Interrogatory No. 9.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5: The documents are identified in the reference list, which is attached as Attachment I and incorporated herein by this reference. These documents are available for inspection and copying at IDWR's State Office, Monday through Friday during regular business hours. In addition, twenty-four of the thirty documents are available via the Internet on IDWR's web site at the URLs described in Attachment I.

REQUEST FOR ADMISSION NO. 3: Please admit that if the Idaho Department of Water Resources is unable at this time to make precise determinations as to the hydrologic connection between water sources, the tenets of the prior appropriation doctrine provide the appropriate guidance for conjunctive administration of water resources.

RESPONSE TO REQUEST FOR ADMISSION NO. 3: Admitted.

INTERROGATORY NO. 10: If your response to Request for Admission No. 3 was anything other than an unqualified admission, please describe with specificity all facts and the legal basis which form the basis of your response. By this interrogatory, the Districts seek the facts, persons with knowledge, and citation to legal authority, which support your response to Request for Admission No. 3.

ANSWER TO INTERROGATORY NO. 10: Not applicable.

INTERROGATORY NO. 11: Please identify any and all documents which relate in any way to your response to Interrogatory No. 10.

ANSWER TO INTERROGATORY NO. 11: Not applicable.

REQUEST FOR PRODUCTION NO. 6: Please produce the documents identified in your response to Interrogatory No. 11.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6: Not applicable.

REQUEST FOR ADMISSION NO. 4: Please admit that the Director of the Idaho Department of Water Resources is required to administer water in accordance with the Idaho Constitution and the Idaho Code.

RESPONSE TO REQUEST FOR ADMISSION NO. 4: Admitted.

INTERROGATORY NO. 12: If your response to Request for Admission No. 4 was anything other than an unqualified admission, please describe with specificity all facts and the legal basis which form the basis of your response. By this interrogatory, the Districts seek the facts, persons with knowledge, and legal authority which support your response to Request for Admission No. 4.

ANSWER TO INTERROGATORY NO. 12: Not applicable.

INTERROGATORY NO. 13: Please identify any and all documents which relate in any way to your response to Interrogatory No. 12.

ANSWER TO INTERROGATORY NO. 13: Not applicable.

REQUEST FOR PRODUCTION NO. 7: Please produce the documents identified in your response to Interrogatory No. 13.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7: Not applicable.

INTERROGATORY NO. 14: Please describe the level of precision quantifying the relationship between water rights which you contend is necessary in order to administer water conjunctively.

ANSWER TO INTERROGATORY NO. 14: Objection. This interrogatory is vague and ambiguous because the meaning of the phrase "level of precision" is uncertain. Notwithstanding and without waiving this objection, the State of Idaho responds. This interrogatory appears to be in response to the following statement in the AFFIDAVIT OF KARL J. DREHER dated January 19, 2001:


In all but perhaps a few isolated instances, hydrologic, hydraulic, and geologic data are not currently sufficient to precisely define the relationship between water rights from surface water sources and water rights from ground water sources in the Snake River Basin.

AFFIDAVIT OF KARL J. DREHER dated January 19, 2001, at 3. The technical data and other information must be sufficient to identify the user or users of ground water who are responsible for injury to the surface water user, to quantify the amount of injury, and to address the timing of depletions causing injury.

INTERROGATORY NO. 15: Please identify the date, as nearly as possible, when you contend the Director of the Idaho Department of Water Resources will have sufficient hydrologic, hydraulic, and geologic data to administer water rights conjunctively in Idaho.

ANSWER TO INTERROGATORY NO. 15: The State of Idaho has not identified a date at this time.

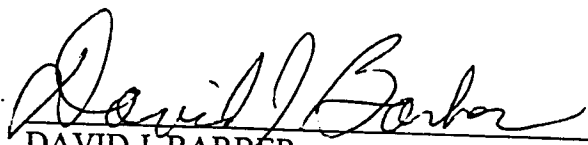
Dated this 11th day of June 2001.


DAVID J. BARBER
Deputy Attorney General
Natural Resources Division

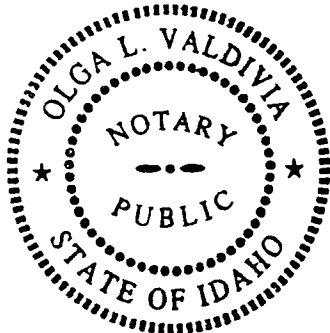
STATE OF IDAHO)
) ss.
County of Ada)

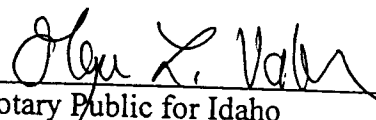
DAVID J. BARBER, being first duly sworn, deposes and states:

That he is a deputy attorney general, that he has read the above and foregoing **STATE OF IDAHO'S ANSWERS AND RESPONSES TO PIONEER AND SETTLER'S FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION, AND REQUESTS FOR ADMISSION TO THE STATE OF IDAHO**, and that he knows the contents thereof. That he further states under oath that to the best of his knowledge, information and belief, formed after a reasonable inquiry, the above-provided answers and responses are true and correct.


DAVID J. BARBER
Deputy Attorney General
Natural Resources Division

SUBSCRIBED AND SWORN to before me this ___ day of June, 2001.




Notary Public for Idaho
Residing at: Boise, Idaho
My commission expires: 2-8-06

STATE OF IDAHO'S ANSWERS AND RESPONSES TO PIONEER AND SETTLER'S FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION, AND REQUESTS FOR ADMISSION TO THE STATE OF IDAHO - 18

ATTACHMENT I

CONJUNCTIVE MANAGEMENT REFERENCES

- (1944) *Beecher v. Cassia Creek Irrig. Co.*, 66 Idaho 1, 154 P.2d 507 (1944)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
[Scanned from Idaho Reports]
- (1966) *Martiny v. Wells*, 91 Idaho 215, 419 P.2d 470 (1966)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
[Scanned from Idaho Reports]
- (1983) Idaho Supreme Court Opinion No. 13794
Idaho Power Company v. The State of Idaho et. al.
104 Idaho 575, 661 P.2d 741 (March 31, 1983)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1987) Grant, Douglas L., *The Complexities of Managing Hydrologically Connected Surface Water and Groundwater Under the Appropriation Doctrine*, 22 Land and Water Law Review 63 (U. Wy. 1987) [can be found at the Idaho Supreme Court Library, Boise, Idaho, or your county law library]
- (1991) Fereday, Jeffrey C. and Michael C. Creamer, *Swan Falls in 3-D: A New Look at the Historical, Legal and Practical Dimensions of Idaho's Biggest Water Rights Controversy*, 28 Idaho L. Rev. 573 (1991-1992) [can be found at the Idaho Supreme Court Library, Boise, Idaho, or your county law library]
- (1994) *Musser v. Higginson*, 125 Idaho 392, 871 P.2d 809 (1994)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
[Scanned from Idaho Reports]
- (1994) Report to the 1994 Interim Legislative Committee on the Snake River Basin Adjudication, *State of Idaho Department of Water Resources* (1994)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1994) Rules for Conjunctive Management of Surface and Ground Water Resources, IDAPA 37.03.11 *State of Idaho Department of Water Resources* (1994)
Available on the State of Idaho Internet site at
<http://www.state.id.us/adm/adminrules/rules/idapa37/37index.htm>
- (1995) Amended Director's Report for Reporting Area 2 (Basin 57)
State of Idaho Department of Water Resources (Nov. 28, 1995)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1995) Amended Director's Report for Reporting Area 3 (Basin 36)
State of Idaho Department of Water Resources (December 15, 1995)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1995) Amended Director's Report for Reporting Area 1 (Basin 34)
State of Idaho Department of Water Resources (December 15, 1999)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>

ATTACHMENT I

CONJUNCTIVE MANAGEMENT REFERENCES (cont.)

- (1996) Re SRBA Case No. 39576 Deposition of David B. Shaw
(1-18-96) [Prepared by M & M Court Reporting, 421 West Franklin Street,
Boise, Idaho, (208) 345-9611]
- (1996) Re SRBA Case No. 39576 Continued Deposition of David B. Shaw Vol. II
(1-22-96) [Prepared by M & M Court Reporting, 421 West Franklin Street,
Boise, Idaho, (208) 345- 9611]
- (1996) Report to the SRBA District Court on Basin-Wide Issue 5 (Conjunctive Administration
General Provisions)
State of Idaho Department of Water Resources (March 11, 1996)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1996) Re SRBA Case No. 39576, 91-0005 ex rel. General Provisions re: Basin Wide Issue 5,
Transcript on Appeal (September 24, 1996) [Prepared by Duane J. Schneberger, P.O.
Box 611, Twin Falls, Idaho, (208) 732-5253]
- (1997) Upper Snake River Basin Study
State of Idaho Department of Water Resources (January 1997)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1998) Bouwer, Herman and Thomas Maddock III, *Effects of Ground-Water Pumping
on Streamflow: Legal and Hydrologic Aspects*, Univ. of California Center for Water and
Wildlands Resources, Berkley, CA, Report No. 95 (1998): (9-26)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1998) Idaho Supreme Court Opinion on Re-argument of Conjunctive Management
Issue and on Rehearing of Irrigation Season Issue
A&B Irrigation District v. Idaho Conservation League, 98.9 ISCR 363 (1998)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1999) Amended Order Requesting Supplemental Director's Reports From Idaho
Department of Water Resources for Irrigation Season and
Conjunctive Management General Provisions in Reporting Areas
1, 2 and 3 (*issued by the SRBA Court on May 5, 1999*)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1999) Amended Order Setting Deadline for IDWR to File Direct Testimony and Setting Initial
Hearing on Basin-Wide Issue 5 on Remand – Conjunctive Management Snake River
Basin-Wide (*issued by the SRBA Court on December 17, 1999*)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>
- (1999) Second Amended Order of Consolidation/Separation of Issues (Realignment and
Redesignation of Issues) of Basin-Wide Issues 5, 5A and 5B; A01 § 11
(*issued by the SRBA Court on December 20, 1999*)
Available on IDWR Internet site at
<http://www.idwr.state.id.us/info/water/srba/bw5/main.htm>

ATTACHMENT I

CONJUNCTIVE MANAGEMENT REFERENCES (cont.)

- (1999) Feasibility Of Large-Scale Managed Recharge Of The Eastern Snake Plain Aquifer System
(issued by IDWR, December 30, 1999)
Available on IDWR Internet site at
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[Prepared by Duane J. Schneberger, P.O. Box 611, Twin Falls, Idaho, (208) 732-5253]
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